

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF AUGUST 11, 2000

(Published August 19, 2000, in *Finance and Commerce*)

Council Chamber

Minneapolis, Minnesota

August 11, 2000 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Johnson, Ostrow, Campbell, Biernat, President Cherryhomes.

Absent - Herron, Thurber.

Campbell moved acceptance of the minutes of the regular meeting of July 28, 2000. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266109)

Lot Division & Land Sale: 1847 E 31st St.

COMMUNITY DEVELOPMENT and HEALTH & HUMAN SERVICES and W&M/BUDGET (See Rep):

COORDINATOR (266110)

Little Earth Neighborhood Early Learning Center (NELC): Designating Little Earth NELC as new Consolidated Plan project, reprogramming \$68,500 of FY98 CDBG funds from GMDCA Sliding Fee project & related actions.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266111)

Tax Increment Policy Revision: Update on Status.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266112)

Grain Belt Brewery (1200 Marshall St NE): Appropriation increase by \$1,046,097 to reflect pollution grant awarded by Metropolitan Council. Milwaukee Depot: Appropriation increase by \$605,881 to reflect pollution grant awarded for Parcel A by Metropolitan Council.

Tax Abatement Policy: Adoption of policy for the limited use of tax abatement to fund public infrastructure costs.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (266113)

McKinley Neighborhood: Approve "early access" to Action Plan funding as an early resource commitment for home improvement strategies.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (266114)

Election Judges: Approving list for Year 2000 elections for 145 precincts.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (266115)

Kids, Education, Environment and You (KEEY) Billboard: Execute contract with KEEY for billboard campaign to encourage school aged youth to plant flowers and community gardens.

Resource Room at North Minneapolis Workforce Center: Issue Fund Availability Notices to HIRED for staff support.

Violence Prevention: Issue Fund Availability Notice to Summit Academy OIC to support two activities -- "Beyond the Court" Basketball Camp and 24-hour retreat for women surviving gun violence.

HEALTH AND FAMILY SUPPORT SERVICES (266116)

Summer School Perfect Attendance Incentive Program: Issue Fund Availability Notice with Club Fed to provide support for program.

Child Health Assessment and Monitoring Project: Amend contract with Mary Hourigan to assist research staff with report.

Year XXVI Community Development Block Grant (CDBG) Funded Activities: Amend report passed May 5, 2000 to change Minnesota Age and Opportunity contract to reflect merger with Volunteers of America -- Minnesota.

HEALTH AND FAMILY SUPPORT SERVICES (266117)

Twin Cities Healthy Start Project: Amend Fund Availability Notice with Fremont Community Health Services to extend performance period for enhanced clinical services.

Welcome Center Immunization and Family Stabilization Project: Issue two amended Fund Availability Notices to Minneapolis Public Schools for social work services.

Health Care and Day Care Services to Low Income Residents: Issue amended Fund Availability Notices to Fremont Community Health Services and Greater Minneapolis Day Care Association.

HEALTH AND FAMILY SUPPORT SERVICES (266118)

Welfare-to-Work: Issue modified Fund Availability Notice to Pillsbury Neighborhood Services to add Phase I McKnight funds to Northside Network Emergency Fund.

Young Entrepreneurs Program for Central Neighborhood: Execute contract with Sabathani Community Center to provide program oversight on behalf of Central Neighborhood Action Plan.

Nokomis After School Youth Involvement Project: Issue Fund Availability Notice to YMCA of Minneapolis on behalf of residents of Nokomis East Neighborhood Association.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

LICENSES AND CONSUMER SERVICES (266119)

Lead Hazard Reduction: Amend contract with Greater Minneapolis Day Care Association to extend term through December 31, 2000.

Lead Safe Housing: Amend lease agreement with Leonard Babinski to extend term of lease for unit at 900 34th Av N through March 31, 2001.

INTERGOVERNMENTAL RELATIONS (See Rep):

CHARTER COMMISSION (266120)

Charter Amendment: Letter of Transmittal recommending passage by unanimous vote of City Council of ordinance amending Chapter 7, Section 6 of the Minneapolis City Charter relating to the Fire Department, providing for reorganization of the appointed service in the Fire Department.

Charter Amendment: Letter of Transmittal recommending passage by unanimous vote of City Council of ordinance amending Chapter 19 of the Minneapolis City Charter relating to Civil Service, amending various sections governing the Classified Service & allowing Human Resources Department to respond more effectively to needs of City departments.

LIAISON/FEDERAL, LOCAL AND STATE (266121)

Federal Lobbyist: Renew contract with Lockridge Grindal Nauen for 1 year.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET (See Rep):

COORDINATOR & PUBLIC WORKS (266122)

New Central Library: Coordinator & Public Works: Site Concept as recommended by New Central Library Implementation Committee with attached illustration of plan and section, major program features, preliminary housing market feasibility findings, budget and funding; Statistical facts on reading & use of Minneapolis Public Library; Proposed capital improvements for community libraries.

Library Board: Resolution passed by Library Board 8/2/00 requesting City to approve a referendum to issue bonds for construction of new Central Library and improvements to community libraries and proposed ballot language.

Coordinator: Letter summarizing history of planning for New Central Library, 3 options for referendum ballot language.

Finance Officer: Impact of bonds proposed to be issued by City for new central library & community libraries on property taxes.

PUBLIC SAFETY AND REGULATORY SERVICES:

COUNCIL MEMBER NILAND (266123)

International Society for Animal Genetics (ISAG) Conference: Request that City Council hold public hearing to receive public comments.

LICENSES AND CONSUMER SERVICES (266124)

Toni's Market (3500 Chicago Av S): Consider action with respect to Grocery, Food Manufacturer and Tobacco Licenses for failure to complete site plan review process.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (266125)

Jubbland Restaurant (806 E Franklin Av): Proposed settlement agreement relating to Restaurant License.

Licenses: Applications.

MAYOR (266126)

Civilian Police Review Authority: Appoint Daryl E. Lynn, 3247 Columbus Av S, as Chairperson for term to expire June 30, 2002.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

INSPECTIONS DEPARTMENT (266127)

Graffiti Removal: Amend contract with Sani-Masters to provide that City will pay total cost of removal from "sensitive surfaced" building if property owner agrees to pay cost of sacrificial coating to building; and increase contract amount by \$200,000.

PURCHASING (266128)

Bid: OP #5455, accept only bid of Metro Fire for self contained breathing apparatus replacement parts for Fire Department.

TRANSPORTATION AND PUBLIC WORKS:

ATTORNEY (266129)

Metropolitan Airports Commission Temporary Runway Contract: Extension project plans and opinion regarding consistency with contract requirements.

PUBLIC WORKS AND PLANNING DIRECTOR (266130)

Light Rail Transit Project: Closing of 5th St from 4th Av to 3rd Av S.

PUBLIC WORKS AND ENGINEERING (266131)

Hennepin Av in Downtown Vicinity: Preliminary scope work and cost estimate for assessing the benefits and implications of converting the street to one-way status.

Equipment Services 2000 Report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (266132)

Sale of Excess City Property at 4401 1/2 France Av S.

Special Boulevard Permit: Application of Bob's Java Hut at 2651 Lyndale Av S to pave boulevard.

Public Works Facilities Project (Currie Maintenance Facility): Change orders to contracts with EnecoTech Midwest and EnviroBate Metro.

Fleet Operations Management System: Extend and increase contract with Control Software for support and additions to M4 Equipment Information System.

Water Works Membrane Project: Contract with qualified vendors for performance testing phase.
National Pollution Discharge Elimination System Stormwater Permit: City concerns regarding draft permit.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (266133)

Petition for Installation of Sanitary Sewer: Install extension for Aspen Waste Systems on 30th Av SE north to Weeks Av SE.

Public Safety Initiative Program: Redesignate excess bond funds from completed 5th Police Precinct project.

PUBLIC WORKS AND PLANNING DIRECTOR (266134)

Light Rail Transit: Design options for Government Center station.

PURCHASING (266135)

Bid: OP #5444, low bid of Electric Service Company of Minneapolis for low level lighting for the East Isles neighborhood.

WAYS AND MEANS BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266136)

Graco, Inc: Ways & Means provided no comments on proposed Graco Campus Expansion Redevelopment Plan, Tax Increment Finance Plan, and plan modifications.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (266137)

Convention Center Expansion Project: Receive and File Change Management Actions.

FINANCE DEPARTMENT (266138)

Municipal Contracting Law: Increase in Sealed Bid Threshold.

REGULATORY SERVICES (266139)

GMCVA Quarterly Performance Report: Receive & File 2nd Quarter, 2000.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (266140)

Settlement: Claim of Robert C. Gretton; Claim of Glenn Oltman; Claim of Thomas A. West.

COMMUNICATIONS (266141)

Videotaping and Cablecasting of City Council Committee Meetings: Refer to budget process and staff prepare decision package.

CONVENTION CENTER (266142)

Convention Center Expansion Project: Change Order #2 with Havens Steel Company.

Convention Center Expansion Project: Change Order #1 with W. L. Hall Company.

Convention Center Expansion Project: Change Order #6 with Tri-Tech Electrical Company.

Convention Center Parking Facility: Change Order #5 with Knutson Construction Services, Inc.

COORDINATOR (266143)

Metropolitan Livable Communities Act Local Housing Incentives Account Grant: Accept \$250,000 grant from Metropolitan Council for Scattered Site Housing Project.

Redevelopment Grant: Accept \$235,000 grant from MN Department of Trade & Economic Development for Grain Belt Brewery.

COORDINATOR (266144)

Minneapolis 2001 Objectives and Outcome Measures: Approved, as amended.

EMPOWERMENT ZONE OFFICE (266145)

Empowerment Zone Funding: Approve funds for Coliseum Project and contract with MCDA.

Empowerment Zone Funding: Approve funds for technology program at Roosevelt, North and Franklin schools.

FINANCE DEPARTMENT (266146)

Bid: OP #5433, accept low bids of Network Design, Inc. and Dell-Comm, Inc.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (266147)

Geographic Information System Program: Increase funding by \$1,400,000; Contract with ESRI Corporation; Contract with Oracle Corporation; Contract with EMA Services, Inc.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (266148)

702 Washington Av S (William Davis on behalf of Metro Community Investments) get necessary permits & certificate of occupancy to open Ben & Jerry's Ice Cream Shop.

600 W Lake St (Fuji Ya Restaurant) allow building permit for construction prior to site plan review.

HERITAGE PRESERVATION COMMISSION (266149)

Montefiore Cemetery and Chapel, 4153 3rd Av S: Recommendation to designate for local heritage preservation, with findings prepared by Garneth Peterson, Landscape Research, staff recommendation, Planning Commission recommendation, State Historic Preservation Office recommendation, drawings, photos.

INSPECTIONS/ZONING ADMINISTRATOR (266150)

Guy-Am Auto Body, aka Sookedee Somaiah, 4539 Lyndale Av N: Zoning Administrator: Notice of hearing to consider revocation of conditional use permit & site plan revocation; photos. Council Member Barbara Johnson: Recommendation to revoke.

PLANNING COMMISSION/DEPARTMENT (266151)

Time Warner: Appeal of Betsy Mitchell from decision of Planning Commission approving conditional use permit & site plan review to allow a cable relay station at 828-830 24th Av NE, with attached application.

MOTIONS (See Rep):

JEFFREY BARTLETT FOR SOUTHERN THEATER (266152)

Washington Av S, 1420, special permit to allow interior remodeling prior to parking variance.

FILED:

LIBRARY, MINNEAPOLIS PUBLIC (266153)

Comprehensive Annual Financial Report, December 31, 1999.

MAYOR (266154)

Unsigned Council action: Stating reasons for not signing action re sale of land at 2933 and 2937 Lyndale Av S and a portion of 600 W Lake St. (See W&M report of 7/28/2000)

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the division of the lot at 1847 E 31st St, as set forth in Petn No 266109, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-348
By Niland**

Approving the subdivision of a lot at 1847 East 31st Street.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1847 East 31st Street and legally described as the West 30 feet of the East 90 feet of Lots 11 and 12, Block 11, Minnehaha Addition to Minneapolis, be subdivided as follows:

Parcel A (TF-506A): The West 15.00 feet of the East 90.00 feet of Lots 11 and 12, Block 11, Minnehaha Addition to Minneapolis;

Parcel B (TF-506B): West 30.007 feet of the East 75.00 feet of Lots 11 and 12, Block 11, Minnehaha Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

Parcel A (1845 East 31st Street): The West 35 1/10 feet of Lots 11 and 12, Block 11, Minnehaha Addition to Minneapolis;

Parcel B (1849 East 31st Street): The West 30.00 feet of the East 60.00 feet of Lots 11 and 12, Block 11, Minnehaha Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on July 7, 2000, a public hearing on said subdivision and proposed sale and the provisions thereof, was continued on July 17, 2000 and duly held on August 1, 2000, in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 9:30 a.m., in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends passage of the accompanying resolution reconstituting and reconvening the City/County Task Force on Homelessness of Families.

Your Committee further recommends approval of the appointments of Council Members Jim Niland and Lisa Goodman as the City Council Member representatives on the Task Force.

Niland moved to amend the resolution by including in the list of Task Force Members one representative of the Community Action for Suburban Hennepin Board, to be appointed by their Chair; one representative of Interfaith Action, to be appointed by that agency; and by amending the appointing authority of the (two) homeless/formerly homeless family member representatives from People Serving People (PSP) and Shelter Providers Action Association to PSP and St. Ann's. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-349

By Niland

Reconstituting and reconvening the City/County Task Force on Homelessness of Families.

Whereas, the Hennepin County Board and the Minneapolis City Council, in May 1999, established the City/County Task Force on Homelessness for families, single adults and youth, to study the issue of homelessness in Hennepin County and to make short-and long-term recommendations to decrease shelter stays and to prevent homelessness; and

Whereas, the Task Force completed its first phase, which addressed issues of homeless single adults and youth and recommended a series of short- and long-term action steps (Board Resolution No. 00-390 and Council Resolution No. 2000R-192), adopted by the County Board and the Minneapolis City Council in May 2000; and

Whereas, these resolutions call for the appointment of a second City/County Task Force to study the issue of homeless families in Hennepin County, recognizing the existing shortage of both shelter space and permanent affordable housing for families with incomes below 50% median income, and recognizing further that the lack of stable housing for families negatively impacts job readiness, children's school performance, and strains the County's social services system;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Hennepin County Board and the Minneapolis City Council reconstitute the City/County Homeless Task Force and direct it to study and make recommendations to alleviate homelessness for families in Hennepin County.

Be It Further Resolved that the Task Force shall report its findings and make recommendations to the Hennepin County Board and Minneapolis City Council six months from the date of its first meeting.

Be It Further Resolved that the county administrator shall appoint staff, in collaboration with \$50,000 committed by the Family Housing Fund, to assist the Task Force with its work, and that the Task Force shall be comprised of the following members:

Task Force Member/s	Appointed By
Tom Fulton, Task Force Chair	Hennepin County Board, Minneapolis City Council
Hennepin County Board (4 members)	Hennepin County Board
Minneapolis City Council (2 members)	Minneapolis City Council
Representative of Mayor Sharon Sayles Belton	Mayor
Representative Association of Metropolitan Municipalities (AMM)	President AMM
Representative Minnesota Housing Finance Agency (MHFA)	Commissioner MHFA
Representative Metropolitan Council	Chair Met Council
Representative Minnesota Multifamily Housing Association (MHA)	President MHA
Representative Minneapolis Community Development Agency (MCDA)	Director MCDA
Representative Department of Housing and Urban Development (HUD)	Director local HUD office
Representative People Serving People (PSP)	Executive Director PSP
Representative Shelter Providers Action Association (SPAA)	SPAA
Two homeless/formerly homeless family members	PSP & St. Ann's
Representative The Minnesota Coalition for the Homeless	The Coalition
Representative Minnesota Interfaith Council on Affordable Housing (MICAHA)	MICAHA
Representative Greater Minneapolis Council of Churches	Executive Director GMCC
Representative Legal Aid	Legal Aid
Representative Minneapolis Public Housing Authority (MPHA)	Director MPHA
Representative Department of Human Services (DHS)	Commissioner DHS

Representative Department of Children, Families, and Learning Department	Director
Representative United Way	United Way
Representative Corporation for Supportive Housing (CSH)	CSH
Representative Minneapolis School Board	Superintendent
Hennepin County Representative Minnesota Coalition for Battered Women	MN Coalition for Battered Women
Two representatives Minneapolis Consortium of Community Developers	Consortium Board
Two direct transitional housing service providers	SPAA
Representative Community Action for Suburban Hennepin Board (CASH)	Chair CASH
Representative Interfaith Action	Interfaith Action

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends passage of the accompanying resolution supporting the Hennepin Community Works planning and redevelopment efforts for Lowry Ave.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-350

By Biernat, Johnson, Ostrow, Niland, Goodman, Cherryhomes, Mead

Supporting the Hennepin Community Works planning and redevelopment efforts for Lowry Avenue.

Whereas, the City of Minneapolis, the Minneapolis Community Development Agency (MCDA) and the Hennepin County Board of Commissioners wish to devise and implement strategies as part of the Hennepin Community Works program for the revitalization of the length of Lowry Avenue in Minneapolis; and

Whereas, Hennepin Community Works is proceeding with a corridor-wide planning process involving the effected community, the MCDA and other partners, built on a foundation of previous work such as The Upper Mississippi River Master Plan, The Silver Lake Reclamation Feasibility Study and The Penn/Lowry Avenue Corridor Revitalization Plan; and

Whereas, the planning process has the objectives of enhanced access to jobs, the effective linking of civic spaces through transit, bicycle and pedestrian connection and the congregation of

services, retail and office space around transit centers/nodes – all leading to improved quality of life in the Corridor; and

Whereas, the City of Minneapolis through the MCDA has historically initiated and maintained redevelopment activity along Lowry Avenue, most currently at Penn & Lowry and Central & Lowry; and

Whereas, the City of Minneapolis, through the MCDA and other City Departments, has historically worked cooperatively on other Hennepin Community Works projects;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis supports the Hennepin County Board and Hennepin Community Works Lowry Avenue initiative designed to advance the quality of life in the north and northeast area of Minneapolis and thereby in the City overall.

Be It Further Resolved that the MCDA and the City Planning Department are directed to participate as appropriate in the Lowry Corridor planning process, and to return with potential opportunities for City involvement in implementation activities.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT, HEALTH & HUMAN SERVICES** and **WAYS & MEANS/ BUDGET** Committees submitted the following report:

Comm Dev, H&HS & W&M/Budget -Your Committee, having under consideration a modification to the FY98 Consolidated Plan to designate the Little Earth Neighborhood Early Learning Center (NELC) as a new Consolidated Plan project, reprogramming Community Development Block Grant (CDBG) funds from the Greater Minneapolis Day Care Association's (GMDCA) Sliding Child Care Fee project to Little Earth to provide initial operating/maintenance funds for their first year of operation so that Little Earth NELC can set up a capital reserve fund, and having held a public hearing thereon, now recommends -

a) That Little Earth NELC be designated as a new Consolidated Plan project, reprogramming \$68,500 of FY98 CDBG funds from the GMDCA Sliding Fee project to Little Earth NELC;

b) That the proper City Officers be authorized to issue amended Fund Availability Notice #Z2-2b, under Master Contract #10017, to the GMDCA, decreasing the amount by \$68,500 for a new total FAN amount of \$483,750, to reallocate Year XXIV CDBG funding for its sliding child care fee budget to the Little Earth NELC to provide CDBG financing to the Little Earth NELC Project;

c) That the proper City officers be authorized to execute a contract with Little Earth NELC for \$68,500; and

d) Passage of the accompanying resolution increasing the Non-Departmental Agency by \$68,500.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-351
By Niland, Herron, Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) Decreasing the Health & Family Support Agency in the Community Development Block Grant/ Urban Development Action Grant (CDBG/UDAG) Fund (0400-860-8605) by \$68,500; and

b) Increasing the appropriation for the Non-Departmental Agency in the CDBG/UDAG Fund (0400-123-1232) by \$68,500.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (State Grants & Loans) by \$1,046,097 and increasing the Fund SMN0 2000 revenue estimate by \$1,046,097 to reflect funds received from the Metropolitan Council through the Metropolitan Livable Communities Act, Tax Base Revitalization Account Grant, for the environmental cleanup of the site for the Grain Belt Brew House Project.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-352

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$1,046,097 and increasing the Fund SMN0 revenue estimate (3215-05 MN State Grants) by \$1,046,097.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (State Grants & Loans) by \$605,881 and increasing the Fund SMN0 2000 revenue estimate by \$605,881 to reflect funds received from the Metropolitan Council through the Metropolitan Livable Communities Act, Tax Base Revitalization Account Grant, for the environmental cleanup of Parcel A of the Milwaukee Depot.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-353

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$605,881 and increasing the Fund SMN0 revenue estimate (3215-13 Other MN Grantor Agencies) by \$605,881.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the McKinley Neighborhood's request for early access to NRP funds in the amount of \$20,000 as an early resource commitment to the McKinley Neighborhood Action Plan home improvement strategies, as set forth in Petn No 266113, now recommends:

1. That said early access request, retroactive to January 22, 2000, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$20,000;

3. That the proper City officers be authorized to execute any agreements or contracts needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-354

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$20,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the City of Minneapolis Policy for the Limited Use of Tax Abatements to Fund Public Infrastructure Costs, set forth in Petn No 266112, a proposed tax abatement policy to identify limited circumstances in which the City will use tax abatement to fund public infrastructure necessary to achieve development

objectives of the City, now recommends -

Comm Dev - Adoption of said Policy.

W&M/Budget - That the Policy be forwarded without recommendation.

Niland moved to amend the report to approve the Community Development Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted upon a voice vote.

Niland moved that Petn No 266112 referred to in the report be amended by including therein the City of Minneapolis Policy for the Use of Tax Abatement for Historic Properties. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **ELECTIONS** Committee submitted the following report:

Elections - Your Committee recommends approval of the appointment of Election Judges for elections in year 2000 as set forth in Petn No 266114 on file in the office of the City Clerk, in accordance with Chapter 2, Section 6, of the Charter of the City of Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #09-1, under Master Contract #10005, to Club Fed Inc, in the amount of \$20,000, to provide support for the Summer School Perfect Attendance Incentive Program during the period June 19, 2000 through September 30, 2000, payable from Health & Family Support (060-860-8605). (Petr No 266116)

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Child Health Assessment and Monitoring Project (CHAMP), now recommends that the proper City Officers be authorized to execute Amendment #4 to Contract #13093 with Mary Hourigan increasing the amount by \$3,000 for a new total contract amount not to exceed \$62,000 and extending the performance period through December 31, 2000 to assist research staff in coordinating community activities around the CHAMP report, payable from Health & Family Support (060-860-8618).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that report passed May 5, 2000 relating to Community Development Block Grant (CDBG) Year XXVI funded activities be amended to change item "c" as follows to reflect the merger of Minnesota Age and Opportunity with Volunteers of America -- Minnesota:

"c. execute an agreement with the Volunteers of America -- Minnesota, and its subsidiary Minnesota Age and Opportunity, in the amount of \$137,000, to provide community services to assist low income senior citizens remaining in their homes for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8605)".

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Northside Welfare-to-Work Network, now recommends that the proper City Officers be authorized to issue modified Fund Availability Notice #03-3d to Pillsbury Neighborhood Services to allocate \$19,949.34 of Phase I McKnight funds to the Northside Emergency Fund, with up to \$5,000, of which up to \$5,000 can be used for Minnesota Family Investment Plan (MFIP) sanctioned clients, during the period January 23, 1998 through December 31, 2000, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Young Entrepreneurs Program which provides Central Neighborhood youth with positive diversion activities, now recommends that the proper City Officers be authorized to execute a contract with Sabathani Community Center, in the amount of \$27,183, to provide oversight for the program on behalf of the Central Neighborhood Revitalization Program (NRP) Action Plan for the period January 1 through December 31, 2000, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 11, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 15, 2000)

H&HS - Your Committee, having under consideration the Nokomis After School Youth Involvement Project which targets services toward youth ages 9 to 14, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #08-8, under Master Contract #10679, to the YMCA of Minneapolis, in the amount of \$36,000, to operate the project on behalf of the Nokomis East Neighborhood Association for the period January 1 through December 31, 2000, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 11, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 15, 2000)

H&HS - Your Committee, having under consideration the Twin Cities Healthy Start Project, now recommends that the proper City Officers be authorized to issue amended Fund Availability Notice #Y3-4a, under Master Contract #14427, to Fremont Community Health Services, Inc. to extend the performance period through July 31, 2000 for services as part of said project; all other terms and conditions of the FAN to remain unchanged.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Welcome Center Immunization and Family Stabilization Project, now recommends that the proper City Officers be authorized to issue amended Fund Availability Notices (FANs) to the Minneapolis Public Schools for social work services, payable from Health & Family Support (060-860-8621), as follows:

a. FAN #Y9-1a, under Master Contract #10019, increasing the amount by \$32,500 for a new total FAN amount of \$64,000, and extending the performance period through May 31, 2001;

b. FAN #Y9-3a, under Master Contract #10019, increasing the amount by \$22,000 for a new total FAN amount of \$35,000, and extending the performance period through December 31, 2000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the provision of health care and day care services to low income Minneapolis residents, now recommends that the proper City Officers be authorized to issue amended Fund Availability Notices (FANs), payable from Health & Family Support (060-860-8605), as follows:

a. FAN #09-1a, under Master Contract #14427, to Fremont Community Health Services, Inc., increasing the amount by \$11,130 for a new total FAN amount of \$27,005, and extending the performance period through December 31, 2000, to provide health care services;

b. FAN #09-4a, under Master Contract #10017, to the Greater Minneapolis Day Care Association, increasing the amount by \$11,130 for a new total FAN amount of \$27,005, and extending the performance period through December 31, 2000, for day care services.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Kids, Education, Environment and You (KEEY) organization that works with school aged youth in schools and the community to plant flowers and community gardens, and having been requested to participate in a billboard campaign sponsored by KEEY, now recommends that the proper City Officers be authorized to execute a contract with KEEY, in the amount of \$2,500, to help defray the costs of said billboard campaign, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration staffing for the Resource Room at the North Minneapolis Workforce Center, now recommends that the proper City Officers be authorized to issue Fund Availability Notices (FANs) to HIRED under Master Contract #10009 for staffing during the period July 1, 2000 through June 30, 2001, payable from Health & Family Support, as follows (Petr No 266115):

a. FAN #F3-3, in the amount of \$13,000 (060-860-8600);

b. FAN #E8-2, in the amount of \$3,000 (040-860-8600);

c. FAN #F2-1, in the amount of \$12,000 (060-860-8600);
d. FAN #B9-2, in the amount of \$19,000 (060-860-8600).
Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the provision of violence prevention services, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #09-1, under Master Contract #10004, to Summit Academy OIC, in the amount of \$6,950, to provide two activities designed to address gun violence in Minneapolis, the "Beyond the Court" Basketball Camp and a 24-hour retreat for women surviving gun violence, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee, having under consideration the provision of lead reduction services as part of the United States Department of Housing & Urban Development (HUD) Round IV Lead-Based Paint Hazard Reduction Project, now recommends that the proper City Officers be authorized to execute an amendment to Contract #C97-12268 with the Greater Minneapolis Day Care Association to extend the performance period through December 31, 2000 to complete lead reduction project activities.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the provision of lead-safe housing during Round IV of the United States Department of Housing & Urban Development (HUD) Lead-Based Paint Hazard Reduction Project, now recommends that the proper City Officers be authorized to execute an amendment to Lease Agreement #13974 with Leonard Babinski to extend the term through March 31, 2001 for the use of a dwelling unit at 900 34th Av N, with payments not to exceed \$1,000 per month, payable from Licenses & Consumer Services (030-835-8393 and 060-835-8392).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting, Mayor.
Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee, having under consideration the accompanying ordinance amending Chapter 19 of the Minneapolis City Charter relating to Civil Service, amending various Sections relating to the Classified Service, submitted with recommendation for passage by the Minneapolis Charter Commission pursuant to Minnesota Statutes Section 410.12, Subd 7, and having conducted a public hearing thereon, now recommends that said ordinance be adopted. (Petr No 266120)

Campbell moved that the above report be postponed. Seconded.
Adopted upon a voice vote.

IGR - Your Committee, having under consideration the accompanying ordinance amending Chapter 7, Section 6 of the Minneapolis City Charter relating to the Fire Department, providing for reorganization of the appointed service in the Fire Department, submitted with recommendation for passage by the Minneapolis Charter Commission pursuant to Minnesota Statutes Section 410.12, Subd 7, and having conducted a public hearing thereon, now recommends that said ordinance be adopted. (Petr No 266120)

Campbell moved that the above report be postponed. Seconded.
Adopted upon a voice vote.

IGR - Your Committee, having under consideration the Council action of July 16, 1999 authorizing the proper City officers to execute a contract with the firm of Lockridge, Grindal & Nauen, P.L.L.P. (LGN) for federal intergovernmental relations consulting services for up to three years, in the amount of \$48,000 per year, subject to a yearly performance evaluation, and having reviewed LGN's performance for the past year, now recommends that the proper City officers be authorized to continue the contract with LGN for the period August 1, 2000 through July 31, 2001. (Petr No 266121)

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

IGR & W&M/Budget - Your Committee, having under consideration a proposed new Central Library, now recommends that the City Council approve the concept of developing a new, five-level Minneapolis Central Library on the current library site, and if necessary the Nicollet Hotel site, as part of a mixed use development which would include housing, the planetarium, support retail, possible public space, and a minimum amount of parking to serve the needs of the library and any housing on site.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

IGR & W&M/Budget - Your Committee recommends passage of the accompanying resolution approving a referendum for bonds for a new Central Library.

Campbell moved that the accompanying resolution be amended by inserting the following title after the words and colon "ballot question language:" and before the words "Shall the City": **NEW MINNEAPOLIS CENTRAL LIBRARY AND COMMUNITY PUBLIC LIBRARY IMPROVEMENTS FINANCING**. Seconded.

Adopted upon a voice vote.

The report and resolution, as amended, were adopted.

Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-355

By Campbell

Approving a referendum and ballot language on the use of bonded indebtedness in excess of \$15 million for the construction of a new Central Library and other library improvements

Whereas, the Minneapolis Public Library system is an essential city government service for the people who live and work in Minneapolis; and

Whereas, the Central Library requires Americans with Disabilities Act and fire code upgrades, the mechanical and electrical systems need replacement, and the facility is overcrowded and obsolete; and

Whereas, community library capital improvement projects are required for library service to Minneapolis neighborhoods in the twenty-first century as set forth in its 2010 Plan; and,

Whereas, a Minneapolis New Central Library Implementation Committee was established in July, 1998 as advisory to the Library Board, Mayor and City Council to recommend a site, conceptual design and funding strategy for the construction of a new Central Library; and

Whereas, the New Central Library Implementation Committee recommended to the Library Board, Mayor and City Council that a referendum be a major component of the funding strategy to construct a new Central Library;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Library Board, Mayor and City Council agree that a referendum be held at the general election on November 7, 2000 to request voter approval for the City of Minneapolis to finance the construction of a new Central Library; and that the Library Board requested approval by the Minneapolis City Council to hold a November general election referendum for this purpose.

Be It Further Resolved that the Library Board, Mayor and City Council agree that the Library Board will work with the City of Minneapolis and Minneapolis neighborhoods to implement the 2010 Plan to improve community libraries; and that the Library Board requested that the City Council resolve to work with the Library Board to structure a capital bonding program over the next 8 years, 2001-2008, to reach the target date of 2010 for an upgraded community library system for the City of Minneapolis, and/or including components of the community libraries capital improvement plan in the November 7, 2000 Referendum.

Be It Further Resolved that the Library Board, Mayor and City Council agree to determine the scope and funding level for the November referendum, and that the City Council and Mayor approve the following ballot question language:

NEW MINNEAPOLIS CENTRAL LIBRARY AND COMMUNITY PUBLIC LIBRARY IMPROVEMENTS FINANCING

Shall the City of Minneapolis be authorized to finance public library improvements, including the repair, renovation and expansion of community libraries and the construction of a new Central Library, by issuing general obligation bonds in an amount not to exceed Thirty Million Dollars (\$30,000,000) for the community library improvements and One Hundred Ten Million Dollars (\$110,000,000) for the new Central Library for a total amount of One Hundred Forty Million Dollars (\$140,000,000), payable over a period of up to 30 years?

The maximum annual amount of the increased tax levy for debt service on the bonds is 0.06% of market value, and the amount that will be raised in 2003, the first year, is estimated to be \$450,000.

BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.
Passed August 11, 2000. J. Cherryhomes, President of Council.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee recommends concurrence with the recommendation of the Mayor to appoint Daryl E. Lynn, 3247 Columbus Av S (Ward 8), to serve as Chairperson of the Minneapolis Civilian Police Review Authority for a two-year term to expire June 30, 2002.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 10, Chapter 188 of the Code of Ordinances relating to *Food and Food Handlers: Establishments Generally*, providing technical amendments to update referenced section numbers, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-079
By Biernat

Intro & 1st Reading: 7/28/2000
Ref to: PS&RS
2nd Reading: 8/11/2000

Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food and Food Handlers: Establishments Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 188.210 of the above-entitled ordinance be amended to read as follows:

188.210. Application for additional vending machines. After a vending machine license has been issued by the city council, upon a written application to the department of licenses and consumer services and payment of the fee provided in section ~~188.240~~ 188.250 of this Code for each additional machine, the licensee may receive licenses for additional machines over and above the number stated in the original application. The application for such license shall state the desired additional number, the date and number of the original license, the street address of the property or place wherein the additional machines are intended to be installed and shall be signed in the manner required for an original application.

Section 2. That Section 188.260 of the above-entitled ordinance be amended to read as follows:

188.260. Entitlement to vending machines without additional fee. The holder of a food license granted under the provisions of this chapter may dispense food from not more than two (2) approved vending machines located on the premises for which such licensee holds a food license without the payment of any additional fees, provided such licensee is the owner of such machine or machines and is fully responsible for the cleaning, operation and food products being vended, and provided further that the food establishment under license is a type required to have equipment and facilities to properly wash and sanitize such machines and their component parts; any machines in

excess of two (2) shall be paid for at the rate provided in section ~~488.240~~ 188.250.

Section 3. That the first paragraph of Section 188.510 and subdivisions (1) and (2) a. of the above-entitled ordinance be amended to read as follows:

188.510. Sidewalk cart food vendors. Notwithstanding the provisions of sections ~~488.400~~ 188.110, ~~488.460~~ 188.480 (8), 427.110 and 427.130 of this Code, the city council may issue licenses for sidewalk cart food vendors for the sale of specified food and beverage items from mobile pushcarts on the public sidewalks, which shall be operated and conducted in accordance with the following conditions:

(1) Each sidewalk cart shall be separately licensed and may operate only at the location specified in the license, except as permitted in subsection (20). However, in the event a licensee holds licenses for more than one location, the licensee may place any of the licensee's licensed carts at any location for which the licensee holds a license. No licensee may trade carts or locations with another licensee; however, should a licensee apply for and be granted a different location for a cart during the licensing year and chooses to surrender the original location for that cart, the fee for such midseason cart location transfer shall be the fee indicated in section ~~488.240~~ 188.250 of this Code for transfer alone.

(2) Application procedure:

a. Each applicant shall file an application with the department of licenses and consumer services on forms provided by the department. In addition to the requirements of section ~~488.420~~ 188.180 of this Code, the director of licenses and consumer services may require such information on the application as the director considers reasonable and necessary.

Section 4. That Section 188.520 (f), (h) and (i) of the above-entitled ordinance be amended to read as follows:

188.520. Indoor food cart vendors.

(f) The provisions of subsections ~~488.490~~ 188.510 (4), (6), (7), (8), (9), (10), (11), (12), (13), (15), and (17) relating to sidewalk food carts shall also apply to indoor food carts, and such provisions are incorporated herein as though fully set forth in writing. However, the manager of environmental health may adopt regulations authorizing dimension limitations for indoor food carts which that exceed the limitations in subsection ~~488.480~~ 188.510 (4) for sidewalk food carts.

(h) A sidewalk food cart operating indoors pursuant to subsection ~~488.480~~ 188.510 (20) shall pay only the license fee for sidewalk food carts and shall be exempt from the license fee for indoor food carts.

(i) No application for a license shall be accepted for filing unless applicant files therewith plans and specifications for the cart which that have been approved by the manager of environmental health.

Section 5. That Section 188.530 (a) and (f) of the above-entitled ordinance be amended to read as follows:

188.530. Kiosk food cart vendors. (a) Notwithstanding the provision of sections ~~488.420~~ 188.450 and ~~488.490~~ 188.510 (7), the city council may issue a food license for the operation of a food cart in a kiosk on private property in accordance with the provisions of this section.

(f) The provisions of subsections ~~488.490~~ 188.510 (4), (6), (8), (9), (10), (11), and (12) of this Code, relating to sidewalk food carts shall also apply to kiosk food carts, and such provisions are incorporated herein as though fully set forth in writing. However, the manager of environmental health may adopt regulations authorizing dimension limitations for kiosk food carts which that exceed the limitations in subsection ~~488.590~~ 188.510 (4) for sidewalk food carts.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of AIIM Restaurant Inc, dba Art Institutes International Minnesota, 15 S 9th St, for an On-Sale Wine Class E with Strong Beer

License (new business) to expire April 1, 2001, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of JPOC Inc, dba Union Liquor Store, 3219 Penn Av N, for an Off-Sale Liquor License to expire October 1, 2000, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire July 1, 2001

Philmik Inc, dba Hennepin Lake Liquors, 1200 W Lake St;

Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S;

Off-Sale Liquor, to expire October 1, 2000

Camden Liquors Inc, dba Camden Liquors, 4153 Lyndale Av N;

Off-Sale Liquor, to expire October 1, 2001

D T B Corporation, dba Greenway Liquor, 105 W Grant St;

On-Sale Liquor Class A with Sunday Sales, to expire July 29, 2000

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, July 29, 2000, 5:00 p.m. to 1:00 a.m., Dorsey Whitney Law Firm);

On-Sale Liquor Class A with Sunday Sales, to expire August 5, 2000

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, August 5, 2000, 5:00 p.m. to 8:00 p.m.);

On-Sale Liquor Class A with Sunday Sales, to expire August 6, 2000

Old Chicago Colorado Inc, dba Old Chicago, 2841 Hennepin Av (temporary expansion of premises with outdoor entertainment, August 4, 5 & 6, 2000, Uptown Art Fair);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2000

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, July 29, 2000, 7:30 p.m. to 12:30 a.m., South Minneapolis High School);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2001

80 S 8th St Hotel Operations Inc, dba Windows on Minnesota, 701 Nicollet Mall, 50th Floor);

On-Sale Liquor Class B with Sunday Sales, to expire July 4, 2000

River Jakes Inc, dba Ney's Polonaise Room, 112 E Hennepin Av (temporary expansion of premises, with outdoor entertainment, July 4, 2000, 5:00 p.m. to 10:00 p.m.);

American Legion Post #1 Housing Corp, dba American Legion Post #1 Housing Corp, 2532 25th Av S (temporary expansion of premises, July 4, 2000, Noon to 6:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire August 19, 2000

T J Management of Mpls Inc, dba Gabby's Saloon & Eatery, 1900 Marshall St (temporary expansion of premises with entertainment, August 18, 2000, 7:00 p.m. to 11:00 p.m. and August 19, 2000, 2:00 p.m. to 11:00 p.m.);

Mpls Aerie #34 F O E, dba F O E #34, 2507 E 25th St (August 19, 2000, 1:00 p.m. to 7:00 p.m., pig roast, with entertainment);

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2001

TGI Fridays of Minnesota Inc, dba TGI Fridays, 615 Hennepin Av;

Ballentine VFW Post 246, 2916 Lyndale Av S;

On-Sale Liquor Class B with Sunday Sales, to expire September 9, 2000

Campus Partners, dba Sally's Saloon & Eatery, 712 Washington Av SE (temporary expansion of premises with outdoor entertainment, September 9, 2000, 6:00 p.m. to 10:00 p.m. at Walnut St & Washington Av SE);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2000

Tay-Mac Inc, dba Whiskey Junction, 901 Cedar Av (temporary expansion of premises with outdoor entertainment, August 13, 2000, Noon to 10:00 p.m., Cedar Avenue Blues Festival);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2001

Campus Partners Inc, dba Sally's, 712 Washington Av SE;

Poodle Inc, dba Poodle, 3001 E Lake St;

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2001

Addis Inc, dba Five Corners Bar, 501 Cedar Av (temporary expansion of premises, August 13, 2000, 1:00 p.m. to 1:00 a.m.);

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2001

Kilimanjaro Cafe Inc, dba Kilimanjaro Cafe, 324 Cedar Av (new business);

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2001

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 800 Washington Av SE (new manager);

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 3040 Excelsior Blvd (new manager);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2001

Stub & Herbs Inc, dba Stub & Herbs, 227 Oak St;

Woman's Club of Mpls, dba Woman's Club of Mpls, 410 Oak Grove St;

One Eyed Dog Ltd, dba Triple Rock, 629 Cedar Av;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2000

Uptown Brewing Company LLC, dba Herkimer Pub & Brewery, 2922 Lyndale Av S (temporary expansion of premises, July 21, 2000, 4:00 p.m. to 1:00 a.m.);

On-Sale Liquor Class E, to expire October 1, 2001

Di Napoli Lounge Inc, dba Di Napoli Lounge, 814 Hennepin Av;

Temporary On-Sale Beer

Greater Minneapolis Crisis Nursery, 5400 Glenwood Av, Golden Valley (August 19, 2000, 11:00 a.m. to 9:00 p.m., fundraiser at Bryn Mawr Meadows Park, Penn Av & Hwy 394);

Church of the Holy Name, 3637 11th Av S (October 1, 2000, 11:00 a.m. to 4:30 p.m., fundraiser);

Sacred Heart Catholic Church, 2114 5th St NE (August 12, 2000, 10:00 a.m. to 8:00 p.m., annual picnic);

Sons of Norway - A Non-profit Minnesota Corporation, dba Sons of Norway, 1455 W Lake St (August 4, 5 & 6, 2000, Noon to 9:00 p.m., Uptown Art Fair at Hennepin Av betw Lake and 31st Sts);

Metro Old Boy Rugby Club Inc, dba Metro Old Boy Inc, 901 23rd Av NE (August 19, 2000, Noon to 8:00 p.m., fundraiser at Columbia Park);

Southwest Family Room/Way to Grow, 4101 Harriet Av S (August 19, 2000, 3:00 p.m. to 10:30 p.m., fundraiser at 5400 Lyndale Av S).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of August 11, 2000, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266125):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Place of Entertainment; All Night Special Food; Caterers; Confectionery; Grocery; Food Manufacturer; Restaurant; Short Term Food Permit; Seasonal Short

Term Food; Vending Machine; Lodging House; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Repair Garage; Towing Class B; Pet Shop; Peddler - Special Religious; Precious Metal Dealer; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Tattooing; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Tree Servicing; Valet Parking.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Roosevelt Booster Club Inc, 13669 43rd St NE, St. Michael (Site: Sunrise Inn, 4653 34th Av S); Sexual Violence Center Minneapolis, 2100 Pillsbury Av S (Site: Gay Nineties Theatre Cafe, 408 Hennepin Av);

Gambling Lawful Exempt

Greater Minneapolis Crisis Nursery, 5400 Glenwood Av, Golden Valley (Raffle August 19, 2000 at 1804 2nd Av N);

Jeremiah Program, 1510 Laurel Av, Ste 100 (Raffle November 11, 2000 at Minneapolis Marriott City Center);

Church of the Holy Name, 3637 11th Av S (Bingo, raffle and pulltabs October 1, 2000 at School Building, 1120 E 37th St);

Ducks Unlimited Nordeast Chapter #202, dba Ducks Unlimited, 2414 Central Av NE (Raffle September 14, 2000 at Jax Cafe, 1928 University Av NE);

Polish National Catholic Church, 2200 5th St NE (Raffle August 12, 2000 at Sacred Heart Catholic Church, 420 22nd Av NE);

Ruffed Grouse Society - Twin Cities Chapter, 5633 Thomas Av S (Raffle August 29, 2000 at Radisson Hotel, 615 Washington Av SE);

University of Minnesota "M" Club, 4500 Park Glen Rd, Ste 280, St. Louis Park (Raffle November 18, 2000 at HHH Metrodome);

Jones-Harrison Residence, 3700 Cedar Lake Av (Raffle August 12, 2000).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver's License #03751 held by Thomas Logan, 4135 Thomas Av N, and having determined that the licensee violated the City of Minneapolis Taxicab Ordinance relating to courtesy, trip sheets and prohibited acts, and the licensee having agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee receive a penalty of two days off from work, of which he has been credited for time out of service during the investigation, and that he write a letter of apology to the customer for his behavior, and that a fine of \$50 be stayed for a period of one year, provided there are no same or similar offenses;

b. that a copy of this agreement be forwarded to Yellow Taxi for possible other sanctions by the company.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the pending Restaurant License held by Jubbaland Restaurant, 806 E Franklin Av, and the City of Minneapolis having commenced an administrative hearing before an Administrative Law Judge to obtain an administrative decision as to whether good cause exists to take adverse action against the license, now recommends that the proposed Settlement Agreement with Jubbaland Restaurant, as set forth in Petn No 266125 on file in the Office of the City Clerk, be sent forward without recommendation.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends acceptance of only bid received on OP #5455 (Petn No 266128) submitted by Metro Fire, for an estimated annual expenditure of \$26,000, for furnishing and delivering self contained breathing apparatus parts to the Minneapolis Fire Department, all in accordance with City specifications.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the "sensitive surface" graffiti removal vendor contracts, and a request to amend the contract with Sani-Masters, now recommends:

PS&RS - that said request be sent forward without recommendation.

W&M/Budget - that the proper City Officers be authorized to amend the contract with Sani-Masters, as follows:

a. to provide that the City will pay the total cost of the removal of graffiti from a "sensitive surfaced" building if the property owner agrees to pay the cost of the sacrificial coating to the building. Said sacrificial coating will include all sensitive surfaces at the location where the removal is to take place, from grade to a height of no less than 16 feet.

b. to increase the contract amount by \$200,000 for a new maximum amount not to exceed \$330,000, payable from unspent wages in the Inspections Division budget (010-850-8510).

Biernat moved to amend the report to approve the W&M/Budget recommendation and to delete the Public Safety & Regulatory Services Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the sale of a parcel of excess public right-of-way at 4401½ France Av S and having held a public hearing thereon, now recommends:

a) Approval of the sale of the property at 4401½ France Av S to the adjacent property owner, Ms. Georgia Thomas, subject to a finding by the Planning Commission that the sale is not in conflict with the City's Comprehensive Plan;

b) That the proper City officers be authorized to initiate a petition to vacate the public right-of-way easement and waive the \$300.00 vacation petition filing fee;

c) That the proper City officers be authorized to execute the appropriate documents for conveyance of the parcel described as follows:

Sale Parcel: 4401½ France Avenue South

PID 08-028-24-33-0087

Purchaser: Ms. Georgia Thomas

Purchase Price: \$3,000.00.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends granting the application of Valerie Thompson, representing Bob's Java Hut, for a Special Boulevard Permit to pave with concrete the boulevard area at 2651 Lyndale Av S.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Public Works Facilities Project (Currie Maintenance Facility), now recommends that the proper City officers be authorized to execute Change Order #1 to the City's contract with Eneco Tech Midwest, Inc. increasing the contract by \$22,400, for a new total of \$64,657, for additional environmental work. The contract increase is payable from the existing project appropriation (4100-923-9247).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Public Works Facilities Project (Currie Maintenance Facility), now recommends that the proper City officers be authorized to execute Change Order #1 to the City's contract with EnviroBate Metro, increasing the contract by \$7,555.58, for a new total of \$110,558.58, for additional hazardous materials abatement work. The contract increase is payable from the existing project appropriation (4100-923-9247).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the M4 Equipment Information System purchased from Control Software, Inc. in 1997 and used to manage all aspects of the City's fleet operations, now recommends that the proper City officers be authorized to extend the City's existing agreement with Control Software, Inc. to provide for an upgrade to the system (\$45,000) and to include annual system maintenance and support for an additional three years (\$84,000) and extending the contract through December 31, 2002. The contract extension is payable from the existing Equipment Services Division budget.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Water Works' Membrane Project and having been informed of plans to require a nine month performance test for vendors who chose to bid on providing the membrane equipment, now recommends that the proper City officers be authorized to proceed with contracts with said vendors to perform the required pilot study with compensation for each qualified vendor of \$30,000 payable from the capital budget for the project (7400-950-9515).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having been informed of the concerns of the City Attorney and City Engineer regarding portions of the draft of the National Pollutant Discharge Elimination System (NPDES) stormwater permit that is being proposed for Minneapolis by the Minnesota Pollution Control Agency (MPCA), now recommends passage of the following resolution that authorizes the City Attorney to file a contested case hearing request with the MPCA in opposition to the draft NPDES stormwater permit if negotiations among the City and the MPCA do not result in a permit acceptable to City staff.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-356

By Mead

Authorizing the City Attorney to file a contested case hearing request with the Minnesota Pollution Control Agency (MPCA) in opposition to the draft National Pollutant Discharge Elimination System (NPDES) stormwater permit for Minneapolis if negotiations do not result in an acceptable permit.

Whereas, in 1991 and 1992 the City of Minneapolis prepared a two part stormwater permit application in accordance with the requirements of the USEPA; and

Whereas, since 1990 the City has implemented a number of Best Management Practices (BMP) that are focused on keeping pollutants from being in contact with stormwater, including implementation of erosion control requirements for all construction projects, requiring stormwater management for all new projects that are at least one acre in area, and ongoing public education on water quality issues; and

Whereas, since 1992 the City has constructed 75 grit chambers, cooperated on the construction of three regional stormwater ponds; and

Whereas, the City has programmed the construction of three additional stormwater ponds within the flood mitigation program; and

Whereas, the Minneapolis City Council and Mayor directed staff to ensure that the monitoring requirements of the stormwater permit should support the operating programs of Minneapolis and should focus on those pollutants that are influenced by Best Management Programs and not on those pollutants that cannot be controlled by BMPs (including Mercury); and

Whereas, the current draft permit proposed by MPCA staff requires the City to monitor for Mercury, a pollutant which does not originate from urban stormwater sources, is a concern to the entire state and which cannot be removed from stormwater by urban Best Management Practices; and

Whereas, the Minneapolis City Council and Mayor directed staff to ensure that the permit should focus on programs aimed at the improvement of stormwater runoff and not create administrative burdens that will be time consuming and likely divert staff and fiscal resources away from implementation of those BMPs.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Attorney be authorized to file a contested case hearing request with the Board of the MPCA in opposition to the draft National Pollutant Discharge Elimination System (NPDES) Permit that has been prepared by MPCA staff for issuance to the City of Minneapolis, if negotiations with the MPCA do not result in a permit acceptable to the City as determined by City staff.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Hiawatha Corridor Light Rail Transit (LRT) project and having been presented with several options for design of the Government Center LRT station (Petn No 266134), now recommends elimination of the following options from further consideration:

Option A - Original design with full roof;

Option B - Currently proposed design with two sets of freestanding canopies;

Option D - Design with canopies eliminated in northbound direction;

Option E - Design with canopies moved to each end of the block at 3rd/4th Av.

Your Committee further recommends that a meeting be arranged with the State Historic Preservation Officer, the Minnesota Department of Transportation (MnDOT) cultural representative, the architect, planning staff with architectural knowledge and Council Members Mead, Campbell and Goodman to discuss options for the design of the Government Center LRT station.

Your Committee further recommends, as City staff prepares design options for said station, that they explore alternatives to fencing between the tracks that wouldn't block access to the station plaza and also explore options for providing a means of egress across the plaza area.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the 30th Av at Weeks Av SE Sewer Extension Project (No. 4323), and having held a public hearing thereon, now recommends passage of the accompanying Resolutions:

a) Receiving the cost estimate of \$57,000 and the petition from the owner of the benefited property and ordering the City Engineer to proceed with the project;

b) Increasing the appropriation in Public Works Sewer Construction Capital Agency by \$57,000 to be fully reimbursed by special assessment; and

c) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$57,000 for the project.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-357

By Mead & Campbell

Sanitary Sewer Extension in 30th Av SE at Weeks Av SE, Project No 4323

Designating and ordering the work to proceed for the extension of the public sanitary sewer in 30th Av SE at Weeks Av SE.

Whereas, it is proposed to extend the public sanitary sewer in 30th Av SE north into Weeks Av SE;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the public sanitary sewer in 30th Av SE be extended north into Weeks Av SE with related improvements and work as needed.

Be It Further Resolved that the cost estimate of \$57,000 for the public sanitary sewer extension be received.

Be It Further Resolved that the petition submitted by the owner of the benefited property (Aspen Waste Systems, Inc., at property address 2951 Weeks Ave SE, Property ID No 19-029-23-14-0006) be received.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-358

By Mead & Campbell

Amending The 2000 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in PW - Sewer Construction Capital Agency in the Sewer Rental Fund (7300-932-9322) by \$57,000 and increasing the revenue source (7300-932-9322 - Source 3650) by \$57,000 to provide funds for the construction of the extension of the sanitary sewer in 30th Av SE to Weeks Av SE (Project No. 4323).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-359

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$57,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the public sewer extension

in the 30th Av SE at Weeks Av SE (Project No. 4323), to be assessed against the benefited property as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a request from the Public Works Department to utilize \$62,000 of excess capital funds remaining from the 5th Police Precinct Facility project for the Public Safety Initiative Program (to expedite the identification of site locations for the Third Police Precinct and a potential new Downtown Precinct), now recommends:

a) Approval of the redesignation of \$62,000 of excess net debt bond funds from the 5th Police Precinct in the Property Services Capital Agency (4100-923-9242) to the Public Safety Initiative Project within the same fund, agency and organization;

b) Passage of the accompanying resolution requesting that the Board of Estimate and Taxation concur in the transfer of the bond funds; and

c) That the Finance Officer be authorized to administratively transfer funding sources and appropriations within and between the various aspects of the Public Safety Initiative to accommodate accounting between the Permanent Improvement Projects Fund (4100) and the Permanent Improvement Equipment Fund (6100).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-360

By Mead & Campell

Requesting the Board of Estimate and Taxation to concur in the transfer of Net Debt Bonds.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur in the permanent transfer of Net Debt Bonds in the amount of \$62,000, as set forth in Petn No 266133, with the understanding that the project whose funding is being decreased is closed out.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #5444 (Petn No 266135) submitted by Electric Service Company of Minneapolis, Inc. in the amount of \$726,000, for furnishing and delivering all materials and equipment for installation of low level lighting for the East Isles area, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said project.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having under consideration a proposal for videotaping and cablecasting of City Council committee meetings, now recommends that the matter be referred to the 2001 budget process and that the Director of Video Services be directed to develop a decision package for consideration during said 2001 budget process.

Niland moved to amend the report to delete the language following, "now recommends that the matter be," and insert in lieu thereof, the language, "approved and implemented as soon as possible." Seconded.

Niland's motion was adopted.

Yeas, 6; Nays 4 as follows:

Yeas - Goodman, McDonald, Mead, Biernat, Niland, Cherryhomes.

Nays - Colvin Roy, Lane, Johnson, Ostrow.

Declining to Vote - Campbell.

Absent - Herron, Thurber.

The report, as amended, was adopted.

Yeas, 8; Nays 3 as follows:

Yeas - Goodman, Colvin Roy, McDonald, Mead, Campbell, Biernat, Niland, Cherryhomes.

Nays - Lane, Johnson, Ostrow.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends adoption of the City's Year 2001 Objectives and Outcome Measures, as amended, as more fully set forth in Petn No 266144 on file in the Office of the City Clerk.

Campbell moved to amend the report to add a second paragraph to read: "Your Committee further clarifies that work is continuing on the airport goal, and amendments will come forward during the last cycle in September." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration the Geographic Information System (GIS) Project, now recommends the following:

a) that the proper City officers be authorized to negotiate and execute a contract with ESRI Corporation for professional consulting services to assist the City in the development of custom GIS solutions and Engineering 2000 programs, for the period from July 1, 2000 through December 31, 2000, in an amount not to exceed \$150,000, payable from the Strategic Information System Projects (SISP) Agency (4100-972-A600);

b) that the proper City officers be authorized to negotiate and execute a contract with Oracle Corporation for professional consulting services to assist the City in the development of an Enterprise Spatial Data Management Solution supporting the GIS 2000 and Engineering 2000 programs, for the period from July 1, 2000 through December 31, 2000, in an amount not to exceed \$250,000, payable from the SISP Agency (4100-972-A600); and

c) that the proper City officers be authorized to execute Amendment #3 to Contract #13194 with EMA Services, Inc., to provide management and project development in the completion of GIS 2000, Phase II, (Enterprise Deployment) and to initiate Phase III (Institutionalization), extending said contract from July 1, 2000 through December 31, 2000 and increasing the contract amount by \$850,000, for a new contract total not to exceed \$2,300,000, payable from the SISP Agency (4100-972-A600).

Your Committee further clarifies that the above contracts conform to the Engineering 2000 authorized funding and/or the continued GIS 2000 funding resolution authorized by the Council, covering the second six months of 2000.

Your Committee further recommends approval of the finance plan to provide for the completion of the GIS Project (Project #M00SP283), as more fully set forth in Petn No 266147 on file in the Office of the City Clerk and made a part of this report by reference.

Your Committee further recommends passage of the accompanying Resolution increasing the SISP Agency Appropriation by \$1,400,000 to complete Phase II, (Enterprise Deployment) and to initiate Phase III (Institutionalization).

Your Committee further recommends passage of the accompanying resolution requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$5,582,000 for certain purposes other than the purchase of public utilities.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-361

By Campbell

Amending The 2000 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Strategic Information System Projects (SISP) Agency in the Permanent Improvement Projects Fund (4100-972-A600) by \$1,400,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-362

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$5,582,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$5,582,000, the proceeds of which are to be used for acquisition and implementation of the City's Geographic Information System (GIS).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that a lawsuit filed against the City be settled and be payable, as follows, from the Self Insurance Fund (6900-150-1500-4000):

- a) Robert C. Gretton and his attorney, Roy Zimmer, in the amount of \$10,000;
- b) Glenn Oltman and his attorney, Leo Brisbois, in the amount of \$17,000; and
- c) Thomas A. West and his attorney, Bruce Rasmussen, in the amount of \$4,000.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 14, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #2 to Contract #14277 with Havens Steel Company, to provide additional structural steel work for the Convention Center Expansion Project, increasing said contract by \$519,123, for a new contract total not to exceed \$20,012,123, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 11, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 15, 2000)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #1 to Contract #14689 with W. L. Hall Company to provide additional work required for the Convention Center Expansion Project, at no additional cost to the City.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 11, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 15, 2000)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #6 to Contract #14073 with Tri-Tech Electrical Company, to provide temporary electrical work for the Convention Center Expansion Project, increasing said contract by \$24,215.55, for a new contract total not to exceed \$293,869.67, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 11, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 15, 2000)

W&M/Budget - Your Committee recommends that the proper City officers be authorize to execute Change Order #5 to Contract #13203 with Knutson Construction Services, Inc., for increased asphalt removal and temporary asphalt patching relating to the Convention Center Parking Facility, increasing said contract by \$13,378, for a new contract total not to exceed \$7,431,123, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Thurber.
Passed August 11, 2000.
Approved August 11, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 15, 2000)

W&M/Budget - Your Committee recommends acceptance of a Metropolitan Livable Communities Act Local Housing Incentives Account Grant award from the Metropolitan Council for the Minneapolis Scattered Site Housing Project.

Your Committee further recommends that the proper City officers be authorized to execute a grant agreement with the Metropolitan Council.

Your Committee further recommends that the proper City officers be authorized to execute a Memorandum of Agreement with the Minneapolis Community Development Agency (MCDA) to facilitate implementation of said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Interfund Transfer Agency by \$250,000 for transfer to the MCDA.

Your Committee further recommends passage of the accompanying resolution increasing the 2000 MCDA Appropriation Resolution in Fund SMN (State and Other Grants) by \$250,000, and increasing the revenue budget by \$250,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-363

By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the Non-Departmental Agency revenue estimate in the Grants - Other Fund (0600-123-1232-Source 3215) by \$250,000; and

b) increasing the appropriation in the Interfund Transfer Agency in the Grants - Other Fund (0600-127-1270-9030) by \$250,000 for transfer to the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-364

By Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund SMN (State and Other Grants) by \$250,000, and increasing the SMN Revenue Budget (3825-Transfer within Special Revenue Funds) by \$250,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of a Redevelopment Grant from the Minnesota Department of Trade and Economic Development (DTED) for the historic preservation and redevelopment of the Grain Belt Brewery, in the amount of \$235,000.

Your Committee further recommends that the proper City officers be authorized to execute the required grant agreement with the State.

Your Committee further recommends that the proper City officers be authorized to execute a Memorandum Agreement with the Minneapolis Community Development Agency (MCDA) and to execute the required sub-recipient agreements, as necessary to implement the project.

Your Committee further recommends passage of the accompanying resolution increasing the Interfund Transfer Agency by \$235,000 for transfer to the MCDA.

Your Committee further recommends passage of the accompanying resolution increasing the 2000 MCDA Appropriation Resolution in Fund SMN (State and Other Grants) by \$235,000, and increasing the revenue budget by \$235,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-365

By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the Non-Departmental Agency revenue estimate in the Grants - Other Fund (0600-123-1232-Source 3210) by \$235,000; and

b) increasing the appropriation for the Interfund Transfer Agency in the Grants - Other Fund (0600-127-1270-9030) by \$235,000 for transfer to the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-366

By Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund SMN (State and Other Grants) by \$235,000, and increasing the SMN Revenue Budget (3825-Transfer within Special Revenue Funds) by \$235,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the Empowerment Zone Executive Committee in their recommendation to approve funding for the Coliseum Project (formerly the Podany Building), 2700 East Lake Street, to be renovated in partnership with the Minneapolis Community Development Agency (MCDA), with said funding, in the amount of \$300,000, to be contingent upon securing the first mortgage financing from the Community Reinvestment Fund and the commitment of local banks to purchase the Tax Increment Financing Bond.

Your Committee further recommends that the proper City officers be authorized to execute a contract with the MCDA, setting the terms and conditions of the award.

Your Committee further recommends passage of the accompanying resolution, increasing the Interfund Transfer Agency Appropriation by \$300,000 for transfer to the MCDA.

Your Committee further recommends passage of the accompanying resolution increasing the 2000 MCDA Appropriation Resolution in Fund FEZ (Federal Empowerment Zone) by \$300,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-367

By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) decreasing the Coordinator Agency in the Federal Grants Fund (0300-840-8460) by \$300,000; and

b) increasing the appropriation for the Coordinator Agency in the Federal Grants Fund (0300-127-1270-9030) by \$300,000 for transfer to the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-368

By Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund FEZ (Federal Empowerment Zone) by \$300,000, and increasing the FEZ Revenue Budget (3825-Transfer within Special Revenue Funds) by \$300,000.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the Empowerment Zone Executive Committee in their recommendation to approve funding for the Minneapolis Public Schools for the technology program at Roosevelt, North and Franklin high schools, with said funding

to be contingent upon tracking that demonstrates that this is an add-on enhancement, not a replacement for service that would otherwise be provided at these schools, in the amount of \$334,260, payable from the Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with Minneapolis Public Schools, setting forth the terms and conditions of the award.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of the low bids received on OP #5433 (Petr No 266146), submitted by Network Design, Inc., for an estimated annual expenditure of \$130,000, and by Dell Comm, Inc., for an estimated annual expenditure of \$70,000 for furnishing and delivering all labor and materials for voice and data cabling for the Information and Technology Services Department, all in accordance with City specifications, with the understanding that all work will be offered to the lowest bidder first and if not available, will be offered to the next vendor.

Your Committee further clarifies that the vendor offers to extend terms and conditions for one additional 12-month period, through June 30, 2002, and further offers to extend terms and conditions for a second additional 12-month period, through June 30, 2003, all at the sole option of the City.

Your Committee further recommends that the proper City officers be authorized to execute the required contracts for said services.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the recommendation of the Heritage Preservation Commission and the Planning Commission that Montefiore Cemetery and Chapel at 4153 3rd Av S be designated for local heritage preservation pursuant to Title 2 Chapter 34 of the Minneapolis Code of Ordinances, and having held a public hearing thereon, now recommends passage of the accompanying resolution designating said land and building for heritage preservation.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-369

By McDonald

Designating the Montefiore Cemetery and Chapel, 4153 Third Avenue South, for local heritage preservation.

Whereas, the Minneapolis Heritage Preservation Commission (HPC) has recommended to the City Council that the Montefiore Cemetery and Chapel, 4153 Third Avenue South, PIN 10-028-240-140179, be designated for local heritage preservation; and

Whereas, in compliance with Title 2, Chapter 34 of the Minneapolis Code of Ordinances (MCO), the HPC held a public hearing on June 20, 2000, on the proposed designation; and did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such favorable CPC recommendation being made following public hearing on July 10, 2000; and further

did refer the subject matter to the Minnesota Historical Society for review and comment, such favorable comment being made in a letter of November 10, 1997, set forth in Petn No 266149; and

Whereas, the Standing Committee on Zoning and Planning held a public hearing on the proposed designation on August 1, 2000, duly noticed pursuant to Section 34.50 of the MCO; and

Whereas, based on information presented in the Planning Department designation study and report and through testimony in the public hearings, the Committee makes the following findings in support of the designation of the Montefiore Cemetery and Chapel:

1. The Montefiore Cemetery and Chapel meet two of the four primary considerations utilized as designation guidelines by the HPC, to wit; they exemplify broad trends of cultural, religious and social history, and they are associated with a strong ethnic community; and
2. The designation of the Montefiore Cemetery and Chapel complies with the provision of the City's comprehensive plan ("The Minneapolis Plan") that the City will promote preservation as a tool for economic development and community revitalization; and

Whereas, the Committee therefore recommends that the Montefiore Cemetery and Chapel be designated for local heritage preservation;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That the findings of the Committee on Zoning and Planning are adopted by the full City Council.

Be It Further Resolved that the Montefiore Cemetery and Chapel are hereby designated for local heritage preservation, and that the proper City officers and the HPC are directed to comply with the provisions of Title 2 of the MCO regarding designated buildings.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Betsy Mitchell from the decision of the Planning Commission approving the applications of Time Warner for a conditional use permit (CU-152) and a site plan review (SPR-158) to allow a cable relay building at 828-830 24th Av NE, and having conducted a public hearing thereon, now forwards without recommendation. (Petn No 266151)

McDonald moved that the report be deleted from the agenda. Seconded.

Adopted upon a voice vote.

Z&P - Your Committee, having under consideration the matter of Site Plan Review Permit PR-362 and Conditional Use Permit C-1833 previously approved for Guy-Am Auto Body (Sookedeeo Somaiah) at 4539 Lyndale Av N, on file in the Zoning Office, and having conducted a public hearing to determine if the terms of said permits have been violated and whether the permits should be modified or revoked, now recommends that Site Plan review permit PR-362 and Conditional Use Permit C-1833 be revoked in accordance with the Findings of Fact and Recommendations prepared by the City Attorney's Office, on file in the Office of the City Clerk, and made a part of this report by reference.

Your Committee further recommends that this matter be referred to the Public Safety & Regulatory Services Committee for action on the applicant's license and joint recommendation to the City Council. (Petn No 266150).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code:

a. Fuji Ya Restaurant: Application to allow building permit for construction on Fuji Ya Restaurant at 600 W Lake St prior to zoning site plan review, on condition that the applicant will obtain approval for a site plan review permit (2000-134); and

b. William Davis for Metro Community Investments: Application to get necessary permits and certificate of occupancy to open Ben & Jerry's Ice Cream Shop, pending approval of variances for parking and hours of operation, on condition that the applicant must remove all changes if the variances are not approved (2000-143).

Adopted. Yeas, 10; Nays none.

Declining to Vote - Lane.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of September, 2000, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Colvin Roy moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicants Shawn Manley and Terri Burks, Nokomis Village Association, for a business district block event to be held August 5, 2000, between the hours of 10:00 a.m. and 9:00 p.m. on 50th Street South between 34th Avenue to 1/2 block to the east, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Johnson moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Julie Evans for a residential block event to be held Saturday, August 12, 2000, between the hours of 3:00 p.m. and 10:00 p.m. on Morgan Avenue North between 34th and 35th Avenues, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes introduced the subject matter of an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: IL Industrial Living Overlay District*, which was given its first reading and referred to the Zoning & Planning Committee (Adding bank or financing institutions & video stores up to 4,000 square foot gross floor area to permitted uses).

Ostrow moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for Applicant Susanne D. Carpenter for a residential block event to be held August 23, 2000, between the hours of 12:00 noon and 10:00 p.m. between Lowry Avenue North

and 26th Avenue North having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Biernat introduced the subject matter of the following ordinances relating to license fee adjustments, which were given their first reading and referred to the Public Safety & Regulatory Services Committee:

- a. Title 10, Chapter 188 relating to *Food Code: Administration & Licensing*;
- b. Title 13 relating to *Licenses and Business Regulations*, amending
 - Chapter 265 *Special Permits for Special Businesses and Uses*
 - Chapter 267 *Amusements*
 - Chapter 297 *Hotels*
 - Chapter 298 *Lodging Houses*
 - Chapter 313 *Motor Vehicle Dealers*
 - Chapter 317 *Motor Vehicle Repair Garages* and
 - Chapter 319 *Open Air Motor Vehicle Parking Lots*.

Lane moved to amend H&HS & W&W/Budget report passed June 9, 2000 relating to Northside Weed and Seed Year 2000 funding to delete the last paragraph transferring funds from the Health Department to the Police Department for the Intern Program.

Lane further moved passage of the accompanying Resolution rescinding Resolution 2000R-269 entitled "amending The 2000 General Appropriation Resolution", passed June 9, 2000. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-370

By Lane

Rescinding Resolution 2000R-269 entitled "amending The 2000 General Appropriation Resolution", passed June 9, 2000.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be rescinded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to grant the application of Jeffrey W. Bartlett on behalf of Southern Theater for a special permit, notwithstanding the Zoning Code, to allow interior remodeling to proceed prior to parking variance being granted on condition that if the variance is not granted the building must conform to the Zoning Code. Variance will be applied for, on or before August 22, 2000. The applicant will pull necessary building permits. (#2000-151) Seconded.

Adopted. Yeas, 9; Nays none.
Absent - Herron, Thurber.
Declining to Vote - McDonald, Lane.
Passed August 11, 2000.
Approved August 17, 2000. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Biernat introduced the subject matter of an Ordinance providing for administrative penalties (in addition to existing penalties) which was given its first reading and referred to the Public Safety & Regulatory Services Committee.

RESOLUTIONS

Niland offered a Resolution urging the City to give preference to certified organic food vendors and urging to federal government to label and test genetically engineered (g.e.) foods as well as assign liability to the commercial developers of g.e. technology, which was referred to the Intergovernmental Relations and Ways & Means/Budget Committees.

Colvin Roy, at her request, recorded as voting "No" on the referral.

UNFINISHED BUSINESS

Tires for Less (3011 3rd Av S): Revoke Motor Vehicle Repair Garage License, due to non-compliance with site plan and conditional use permits. (Postponed 12/17/99, PS&RS)

Fire Department Reorganization: Passage of Ordinance amending Title 9, Chapter 173 relating to *Fire and Police Protection: Fire*, to accommodate reorganization of personnel. (Postponed 6/23/2000, PS&RS)

Airbourne Service Center (2601 Central Av NE): Revoke Motor Vehicle Repair Garage License for failure to complete site plan review process (Postponed 7/14/2000, PS&RS)

Biernat moved that the above three postponed items continue to be postponed. Seconded.
Adopted upon a voice vote.

Grain Belt Brewery Redevelopment Plan: Passage of Resolution adopting Modification No. 1 to Plan, Modification No. 74 to Common Development & Redevelopment Plan and Common Tax Increment Finance Plan and approving amendment to 1996 Grain Belt Brewery Area Development Objectives, with directions to MCDA staff; Authorize summary publication. (Postponed 7/28/2000, CD, W&M and Z&P)

Comm Dev, W&M/Budget & Z&P - Your Committee, having under consideration Modification No. 1 to the Grain Belt Brewery Redevelopment Plan, Modification No. 74 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, and the proposed amendment to the 1996 Grain Belt Brewery Area Development Objectives, which represents a more comprehensive housing development strategy for the Grain Belt area by identifying five specific sites that have housing potential, as set forth in Petn No 266060, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modifications and amendment, with approval of the following directions to the Minneapolis Community Development Agency (MCDA) staff:

a) Eliminate Block 2 from any Request For Proposals (RFP) at this time and make the necessary language changes to accommodate this direction to staff. The City reserves the right to revisit this issue in the future; and

b) Incorporate language in the RFP relating to Site 1 that directs any potential developer to give all consideration to preservation of the existing three residential homes on 13th Ave NE and provide policy makers options to save or remove these structures.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas-Colvin Roy, Mead, Lane, Johnson, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays-Goodman, McDonald.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-371, adopting Modification No. 1 to the Grain Belt Brewery Redevelopment Plan and Modification No. 74 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan was passed August 11, 2000 by the City Council and approved August 14, 2000 by the Acting Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2000R-371
By Niland, Campbell, McDonald

Adopting Modification No. 1 to the Grain Belt Brewery Redevelopment Plan and Modification No. 74 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (the "Project Laws").

1.2. By Resolution duly adopted on December 19, 1986 the City approved the creation of the Grain Belt Brewery Redevelopment Project and the adoption of the Grain Belt Brewery Redevelopment Plan dated November 14, 1986, revised December 19, 1986. The Grain Belt Brewery Redevelopment Project Area is included within the Common Development and Redevelopment Project Area and Common Tax Increment Finance District.

1.3. That by Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Minneapolis Community Development Agency (the "Agency") of the Common Development and Redevelopment Project (the "Common Project Area") and the adoption of the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan (the "Common Plans") relating thereto, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.4. It has been proposed that the Agency modify the Grain Belt Brewery Redevelopment Plan and the Common Plan to expand the boundary of the Grain Belt Brewery Redevelopment Project Area, reflect the identification of additional property that may be acquired, revise land uses in the project area, and identify additional objectives of the Grain Belt Brewery Redevelopment Plan.

1.5. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No. 74 to the Common Plans and Modification No. 1 to the Grain Belt Brewery Redevelopment Plan. These plan modifications (collectively, the "Modifications") describe more precisely the property that may be acquired, the land uses to be revised and the project objectives to be added with respect to the Common Project Area and the Grain Belt Brewery Project Area.

1.6. The Modifications identify the easterly half block along Marshall Street Northeast between 13th Avenue Northeast and 14th Avenue Northeast, and two parcels on the south side of 13th Avenue Northeast near Grand Street Northeast as property that may be acquired. In addition, the Modifications revise the land uses in the project areas, add objectives to the plans, and add the amended Grain Belt Brewery Development Objectives to reflect a more comprehensive approach to housing development in the area.

1.7. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Plans.

2.1. The Council hereby determines and that it is necessary and in the best interest of the City at this time to approve the Modifications to reflect the identification of property that may be acquired, revise the land uses and add to the objectives of the plans.

2.2. The Council further finds, determines and declares that the Modifications will afford maximum opportunity, consistent with the sound needs of the City as a whole, for development or redevelopment of the project areas by private enterprise as any proposed development will remove blight and provide needed affordable and owner-occupied housing. These findings are based upon the Affordable Housing Policy adopted by the City of Minneapolis on September 7, 1999 and the to be amended Grain Belt Brewery Area Development Objectives which are a part of this action.

2.3. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.4. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary, because the land in the project area would not be made available for redevelopment without the financial aid to be sought.

2.5. The Council further finds, determines and declares that the property to be added to the Project Area consists of property that qualifies for inclusion in a redevelopment project, as the Project Area includes property that is vacant and includes buildings that are in need of repair. The reasons and supporting facts for these determinations are retained and available from the Agency.

2.6. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended.

2.7. The Council hereby finds, determines, and declares that the public notice was published in a newspaper of general circulation at least ten days but not more than thirty days prior to the date of the public hearing as required by Minnesota Statutes and the public hearing was held on the date and at the place set forth in the public hearing notice; and all procedural requirements imposed by applicable statute, ordinance, resolution, or policy with respect to the Modifications have been complied with by the Agency and the City.

2.8. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans.

3.1. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas - Colvin Roy, Mead, Lane, Johnson, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays - Goodman, McDonald.

Absent - Herron, Thurber.

Passed August 11, 2000. J. Cherryhomes, President of Council.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to amend Rule 1B of the Rules of the City Council pursuant to notice given at the July 28, 2000, City Council meeting:

RULE 1. MEETINGS

B. Except as modified by a yearly calendar schedule adopted by the city council at its organizational meeting, regular committee of the whole meetings shall be held at 9:30 ~~10:00~~ a.m. on the second and fourth Thursdays of each month and regular council meetings shall be held at 9:30 a.m. on the second and fourth Fridays of each month. A meeting for transacting business relating to the organization of the city council shall be held at 9:30 a.m. on the first business day in January of each even-numbered year. The president (and in the president's absence the vice-president) of the council shall take the chair at the appointed hour for the council to meet, whether in regular or special session, and call the members to order, at which time the roll of members of the council shall be called by the clerk. The chair of the Ways & Means/Budget committee shall chair the regular committee of the whole meetings.

Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Thurber.

Passed August 11, 2000.

Approved August 14, 2000. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

NEW BUSINESS

Biernat offered an Ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Establishing an administrative inspection fee for towing junk cars).

Biernat offered an Ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Increasing rental license fees).

Goodman offered an Ordinance amending Title 12 of the Minneapolis Code of Ordinances relating to *Housing* by adding a new Chapter 252 entitled *Establishing Housing Improvement Area No. 1 (1200 on the Mall)*, which was given its first reading and referred to the Community Development Committee (To allow bonds to be issued for housing improvements).

Campbell gave notice of Council consideration at its August 25, 2000, meeting of an amendment to Rule 3J of the Rules of the City Council regarding joint meetings, which was referred to the Rules Committee.

Cherryhomes adjourned the meeting to Room 315 City Hall for a meeting to be held immediately following the Minneapolis Board of Commissioners meeting for the purpose of considering the lawsuit of *Dorothy I. Feist vs. Bradley Jon Simonson*.

Campbell moved to reconsider the adjournment to Room 315 City Hall. Seconded.
Adopted upon a voice vote.

Cherryhomes moved that when this Council adjourns, it adjourns to Monday, August 14, 2000, at 11:00 a.m. in Room 317 City Hall, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of August 11, 2000, to consider the Graco Redevelopment District and Tax Increment Financing (TIF) Plan and the lawsuit of *Dorothy I. Feist vs. Bradley Jon Simonson*, and to conduct any other business deemed necessary at that time. Seconded.

Adopted upon a voice vote.
Adjourned.

MERRY KEEFE, City Clerk.